

Nº 46639

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

FEB 14 1983

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... FEB 14 1983 under 46638

The applicant Marshall Earth Resources, Inc.

One East Liberty Street, Suite 612, of Reno,
Street and No. or P.O. Box No. City or Town

Nevada (89501), hereby make S application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Incorporated in the State of Nevada on December 3, 1979

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1.5 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for Mining, Milling and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated:.....

(b) Stockwater, state number and kinds of animals to be watered:.....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: SE½ NE¼ Section 34, T13N, R39E,
Describe as being within a 40-acre subdivision of public
MDM, unsurveyed, or at a point from which the Northeast corner of Section 1,
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
T12N, R38E, MDM bears, S 80° 00' 36" W a distance of 20,573 feet.

6. Place of use SE¼ SW¼ Section 27; NE¼ NW¼; NW¼ SW¼; portion of SE¼ NW¼, portion of
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
NE¼ SW¼, portion of SW¼ SW¼, all within Section 34; NE¼ of Section 33, all
within T13N, R39E, MDM, unsurveyed.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, submersible pump,
State manner in which water is to be diverted, i.e. diversion structure, ditches and
underground pipelines to Place of Use.
fumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$30,000

10. Estimated time required to construct works Two Years
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use Four Years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water to be used for mining, milling and domestic purposes. Waters will
be used in conjunction with other underground sources. Annual duty not
to exceed 900 acre feet per year.

By s/Harry R. Ericson Agent
950 Industrial Way
Sparks, Nevada (89431)

Compared bl/kc pr/bc

Protested _____

APPROVAL _____ OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

The total combined rate of diversion issued under Permits 35890, 44366, 44367, 46638 and 46639 shall not exceed 4.189 c.f.s.

The total combined duty of water under Permits 35890, 44366, 44367, 46638 and 46639 shall not exceed 65.18 million gallons annually.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted (CONTINUED PAGE TWO)
The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and

not to exceed 1.5 cubic feet per second, but not to exceed 65.18 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 17, 1986

Proof of completion of work shall be filed before November 17, 1986

Application of water to beneficial use shall be made on or before October 17, 1989

Proof of the application of water to beneficial use shall be filed on or before November 17, 1989

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed DEC 17 1986 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of October

Cultural map filed _____ A.D. 19 84

Certificate No. _____ Issued _____

218 (Rev.) State Engineer

Abrogated By 61945 L.D. wdn 5-7-98

under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

